UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,555	07/20/2001	Hanafy Meleis	9209-5	3472

20792   7590   10/21/2004

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EXAMINER
PATEL, DHAIRYA A

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/910,555	MELEIS, HANAFY
	Examiner	Art Unit	
	Dhairya A Patel	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 July 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5/2/2002</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Application number 09/910,555 was filed on July 20, 2001. Claims 1-26 are

subject to examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2. Claims 5.8 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

In claims 5,8, the applicant mentions "business requirements" but it is not clear to

the examiner as to the meaning of the business requirements. In the specification,

"business requirements" is not clearly defined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

Claims 1-26 are rejected under 35 U.S.C. 102(a, e) as being unpatentable by
Cobbs et al. U.S. Patent # 6,012,088 (hereinafter Cobbs).

3. As per claim 1, Cobbs teaches a network model for managing a service,
comprising:

-an end service domain (Fig. 1 element 12) that associates the service with an
end service provider, the end service domain comprising: (Fig. 1 & 2; column 4 lines 52-
65).

-a plurality of wholesale service domains (Fig. 1 element 30,32), respective ones
of the plurality of wholesale service domains comprising atleast one network that
provides traffic transport for the end service domain; (Fig. 2&3; Column 5 lines 2-5).

-a plurality of gateways (Fig. 2 element 42), wherein at least a first one of the
plurality of gateways couples one of the plurality of wholesale service domains to
another one of the wholesale service domains and is configured to perform protocol
translation on traffic passing between the coupled wholesale service domains, and
wherein at least a second one of the plurality of gateways is configured to couple a user
to the end service domain and is further configured to communicate with the user by a
protocol associated with the service; and (Fig. 1,2,3,4,6)(Column 4 lines 52, Column 6
lines 6-12)

-a process domain that provides an abstract representation of applications
provided by the end service domain. (Column 6 lines 13-16)

4. As per claim 2, Cobbs teaches a network model of claim 1, further comprising:

-a service management system that is communicatively coupled to the end

service domain, the service management system comprising: (column 5 lines 30-38)

-a plurality of software objects that represent resources in the end service

domain for providing the service; and (column 5 lines 30-38)

-a policy database that comprises rules for associating requirement of the service

with resources in the end service domain. (Column 9 lines 50-64)

5. As per claim 3, Cobbs teaches a network model of claim 1, wherein the

requirements of the service comprise:

-service requirements associated with the user; and (column 10 lines 62-65)

(Column 9 lines 57-59).

-business requirements associated with the end service provider (abstract lines

6-14, 17-26).

6. As per claim 4, Cobbs teaches a network model of claim 1, wherein the first one

of the plurality of gateways is further configured to set up internal connections in the one

of the plurality of wholesale service domain. (Column 4 lines 30-38)

7. As per claim 5, Cobbs teaches a model of claim 1, wherein the second one of the

plurality of gateways is further configured to analyze incoming user traffic and to

segregate the incoming user traffic according to application. (Column 11 lines 34-44).

8. As per claim 6, Cobbs teaches a method of managing a service comprising:

-providing an end service domain that comprises a plurality of resources that

facilitate delivery of the service; (column 5 lines 24-38)

-generating a service model that comprises a plurality of virtual processes and a plurality of virtual connections from the end service domain that are associated with the service;(column 6 lines 42-52)(column 6 lines 64-67) (column 7 lines 1-3)

-obtaining information that specifies capabilities of the plurality of resources in the end service domain; and (column 6 lines 42-52)(column 6 lines 64-67) (column 7 lines 1-3).

-assigning the plurality of virtual processes and the plurality of virtual connection to ones of the plurality of resources based on the information that specifies the capabilities of the plurality of resources (Column 7 lines 19-27) (Column 8 lines 35-42) .

9. As per claim 7, Cobbs teaches a method of claim 6, further comprising:

-providing a policy database that comprises rules for associating requirements of the service with the plurality of resources; and (column 9 lines 50-63) (column 10 lines 62-65)

-wherein assigning the plurality of virtual processes and the plurality of virtual connections to the ones of the plurality of resources further comprises: (Column 7 lines 19-27) (Column 8 lines 35-42) (column 11 lines 8-26)

-assigning the plurality of virtual processes and the plurality of virtual connections to the ones of the plurality of resources based on the policy database. (column 11 lines 8-26)

10. As per claim 8, Cobbs teaches a method of claim 7, wherein the requirement of the service comprise:

-service requirements associated with the user; and (column 10 lines 62-65)
(Column 9 lines 57-59).

-business requirements associated with the end service provider (abstract, lines
6-14, 17-26) .

11. As per claim 9, Cobbs teaches a method of claim 7 wherein generating the
service model comprise:

-identifying service points in the end service domain corresponding to at least
one resource through which a user accesses the service and at least one resource that
hosts an end service domain application. (column 5 lines 30-43)

12. As per claim 10, Cobbs teaches a method of claim 9, wherein the end service
domain comprise:

-a plurality of wholesale service domains (Fig. 1 element 30,32), respective ones
of the plurality of wholesale service domains comprising atleast one network that
provides traffic transport for the end service domain; (Fig. 2&3; Column 5 lines 2-5).

-a plurality of gateways (Fig. 2 element 42), wherein at least a first one of the
plurality of gateways couples one of the plurality of wholesale service domains to
another one of the wholesale service domains and is configured to perform protocol
translation on traffic passing between the coupled wholesale service domains, and
wherein at least a second one of the plurality of gateways is configured to couple a user
to the end service domain and is further configured to communicate with the user by a
protocol associated with the service; and (Fig. 1,2,3,4,6)(Column 4 lines 52, Column 6
lines 6-12)

13. As per claim 11, Cobbs teaches the method of claim 10, further comprising:

-associating respective ones of the plurality of virtual connections with respective

ones of plurality of ordered lists of the gateways that define routes through the end

service domain. (Column 11 lin9s 50-65).

14. As per claim 12, Cobbs teaches the method of claim 11, further comprising:

-associating respective ones of the plurality of virtual connections with respective

ones of a plurality of routes within the wholesale service domains. (Column 11 lines 50-

65).

15. As per claim 13-19, they teach same limitations taught in claims 6-12

respectively. Therefore it is rejected under same basis.

16. As per claim 20-26 they teach same limitations taught in claims 6-12

respectively. Therefore it is rejected under same basis.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a). "Internet Communication System and method with asymmetric terrestrial and

satellite links." U.S. Patent # 6,038,594 by Puente; David et al.

b). "Public IP transport network." U.S. Patent # 6,084,892 by Benash; Ray et al.

18. A shortened statutory period for response to this action is set to expire **3 (three)**

months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

19.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A Patel whose telephone number is 703-305-0457. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 703-305-6687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAP

ZARNI MAUNG
PRIMARY EXAMINER